IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 22345 of 2006(I)

PETITIONER:

MELVIN DE VINCENT,
KUNNAMKUDATH HOUSE,
P.O.CHAZOOR, THRISSUR DISTRICT.

BY ADV. SRI.P.K.MANOMOHANAN

RESPONDENTS:

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1. CONTROLLER OF EXAMINATIONS,
UNIVERSITY OF CALICUT,
PAREEKSHA BHAVAN,
CALICUT UNIVERSITY.P.O.,
PIN-673 635.

2. THE REGISTRAR,
UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY.P.O.,
PIN-673 635.

3. VICE CHANCELLOR,
UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY.P.O.,
PIN-673 635.

BY ADV. SRI.E.S.ASHRAF, SC, CALICUT UNIVERSITY
SRI.E.S.ASHRAF, SC, CALICUT UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 22345/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE STATEMENT OF MARKS DATED 17/10/2005.

EXT.P2 COPY OF APPLICATION FOR REVALUATION DATED 22/10/2005.

EXT.P3 COPY OF MEMO DATED 5/4/2006.

EXT.P4 COPY OF ANSWER PAPER OF ENGINEERING PHYSICS EXAMINATION HELD IN JUNE 2005.

EXT.P5 COPY OF ANSWER PAPER OF BASIC ELECTRICAL ENGINEERING EXAMINATION HELD IN JUNE 2005.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 22345 of 2006 I

Dated, this the 1st day of March, 2007

J U D G M E N T

Heard the learned counsel for the petitioner and the Standing Counsel for the University.

2. Petitioner is challenging Ext.P3, which is the result of revaluation in four subjects in the first year engineering examination communicated by the University. While petitioner got higher marks in two subjects, no change is reported in the other two subjects. Even though the marks awarded in revaluation in two subjects are substantially higher than the marks originally awarded in those two subjects, still petitioner has not got sufficient marks to pass in those two subjects. The petitioner's allegation is that the answer books do not indicate revaluation. However counsel for the University submitted that original marks in the answer book will be erased before giving for revaluation. I do not find any ground to doubt the version of the University, more so by looking into the general performance of

the petitioner in the examination in the other subjects also because petitioner has failed in six subjects out of the nine he wrote. In the circumstance, petitioner has no escape but to write the examinations in the failed subjects again. This writ petition is therefore devoid of any merit and is therefore dismissed.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg